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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, DENIS
MOLINA, JHONY SILVA, MARIA ELENA
HERNANDEZ, O.C., SANDHYA LAMA, S.K.,
and TEOFILO MARTINEZ,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY, and UNITED STATES OF
AMERICA,

Defendants.

Case No. 25-cv-5687-TLT

**DECLARATION OF JESSICA KARP
BANSAL IN SUPPORT OF PLAINTIFFS'
MOTION FOR ORDER SHORTENING
TIME AND SETTING SCHEDULE**

Complaint Filed: July 7, 2025

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DECLARATION OF JESSICA KARP BANSAL

I, Jessica Karp Bansal, declare as follows:

1. I am an attorney at law duly licensed and entitled to practice in the State of California. I am an attorney with the National Day Laborer Organizing Network and counsel of record in this action for Plaintiffs. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

2. I file this Declaration in support of Plaintiffs' Administrative Motion for Order Shortening Time and Setting Schedule Re: Plaintiffs' Motion for Partial Summary Judgment and Motion for Leave to File Multiple Motions for Summary Judgment ("Motion for Order Shortening Time").

3. This matter pertains to the Department of Homeland Security's ("DHS") unlawful decision to terminate Temporary Protected Status ("TPS") for 60,000 people from Honduras, Nicaragua, and Nepal.

4. On July 31, 2025, this Court granted Plaintiffs' motion to postpone all three termination decisions until November 18, 2025. Dkt. 73. Defendants moved to stay that order. After this Court denied Defendants' request for a stay on August 8, 2025, Dkt. 87, the Ninth Circuit granted a stay of this Court's postponement order on August 20, 2025, Dkt. 96.

5. As a result of the Ninth Circuit stay order, the termination of Nepal's TPS designation has taken effect. Nepali TPS holders no longer have work authorization and are subject to detention and deportation. The terminations of Honduras and Nicaragua's TPS designations will go into effect on September 9, 2025, at which point Honduran and Nicaraguan TPS holders will lose their work authorization and become subject to detention and deportation.

6. Plaintiffs allege that the DHS Secretary's decisions to terminate are unlawful under the Administrative Procedure Act (APA) and the Anti-Discrimination guarantee of the Fifth Amendment's Due Process Clause, and must be set aside. Under the APA, Plaintiffs allege that (1) Defendants' termination decisions were arbitrary and capricious because they were not based on a review of country conditions as required by statute, but instead on a preordained, political decision to terminate TPS wholesale, and (2) that Defendants arbitrarily and capriciously failed to

1 acknowledge or explain their departure from two decades of unbroken agency practice of providing
2 at least a six-month orderly transition period when terminating a TPS designation.

3 7. Plaintiffs’ Motion for Partial Summary Judgment seeks summary judgment only on
4 Plaintiffs’ second APA claim.

5 8. Unlike Plaintiffs’ first APA claim, Plaintiffs’ second APA claim is purely legal, and
6 requires no further factual development. The Ninth Circuit’s stay of this Court’s Postponement
7 Order does not bar this Court from entering partial summary judgment on that claim before
8 September 9—when an additional (more than) 50,000 people will otherwise lose their right to live
9 and work in this country under Defendants’ illegal TPS terminations.

10 9. On August 22, 2025, my co-counsel Emilou MacLean emailed Defendants’ counsel
11 to request an accelerated briefing and hearing schedule for Plaintiffs’ forthcoming Motion for Partial
12 Summary Judgment and Motion for Leave to File Multiple Motions for Summary Judgment. On
13 August 25, 2025, Defendants responded that they oppose accelerating briefing and hearing and
14 stated that “If any hearing is to be held for [summary judgment] in September, it should happen on
15 the date the Court already set aside on its calendar – September 16.”

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct.

18 Executed on August 25, 2025, in Claremont, California.

19 /s/ Jessica Karp Bansal
20 Jessica Karp Bansal